

PC9983A

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

APPLICANT : YASUHIRO KATSU, ET AL.

EXAMINER : PATRICIA L. MORRIS

SERIAL NO : 10/010,863

ART UNIT : 1625

FILED : DECEMBER 5, 2001

PAPER NO : 5

FOR : N-BENZENESULFONYL L-PROLINE COMPOUNDS AS BRADYKININ
ANTAGONISTS

RESPONSE TO RESTRICTION REQUIREMENT

June 25, 2003

FAX RECEIVED

JUN 25 2003

PETITIONS OFFICE

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Dear Sir:

This is in response to the Office Action dated September 6, 2002 (Paper No. 4).

Restriction to one of the following inventions was required under 35 U.S.C. §121:

- I. Claims 1-5, drawn to compounds, classified in classes 544 and 546, various subclasses.
- II. Claims 6-10, drawn to multiple compositions and uses, classified in class 514, various subclasses.

Applicants provisionally elect Group I, Claims 1-5, for prosecution purposes, with traverse. Applicants hereby elect the species of Example 1, 8-[[3[[[(2S)-2-[[4-[(3S)-1-azabicyclo[2.2.2]oct-3-yl]-1-piperazinyl]carbonyl]pyrrolidinyl]sulfonyl]-2,6-dichlorbenzyl]oxy]-2,4-dimethylquinoline, HCl salt, as requested in the Office Action. Applicants hereby conditionally withdraw Claims 6-10 from prosecution and request reconsideration of the restriction requirement.

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Applicants traverse the restriction requirement based on the following grounds.

It is respectfully submitted that the restriction requirement practice was established to promote efficiency of prosecution in the Patent Office. It is respectfully submitted that examination of all the claims in a single application would be efficient, thereby promoting the grounds for the establishment of the restriction requirement practice. Applicants respectfully submit that a search for the compounds would ultimately uncover any prior art directed toward the compositions and uses thereof. Hence, it is respectfully submitted that restriction should not be required and that Applicants have traversed the restriction requirement. However, as stated above, Applicants have provisionally elected Claims 1-5 of Group I and provisionally withdraw Claims 6-10 pending reconsideration of the restriction requirement.

The application is now in condition for allowance, which allowance is respectfully solicited.

Respectfully submitted,



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